UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
SHEDRICK, CHARLES TERRELL

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _14 November 2008_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-3,5-7,10 and 11_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-3,5-7,10 and 11_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 11/14/08 have been fully considered but they are not persuasive.

1.   Applicant argues that claims 1 and 5 now require: said plurality of sources including a local store arranged in operation to store previous authentication ratings for a plurality of entities, and said analysis step involving combining previous authentication ratings for said entity with one or more current authentication ratings for said entity. This claim feature is not taught or suggested by Ross. The databases 112a to d referred to by the Examiner in his argument rejecting original claim 4 are not arranged in operation to store previous authentication ratings. Instead they are third-party databases which store information about people with whom those third parties have dealings. Examples include information held by the U.S. Postal Service, VISANET, the Social Security Administration, the Internal Revenue Service, etc. (see paragraphs [0032] and [0033] of Ross. Ross simply does not propose a store arranged in operation to store previous authentication ratings and the subsequent use of those previous authentication ratings in deriving a new authentication rating. Hence, the present claims patentably define over Ross.

2.   However, the Examiner respectfully disagrees. As a first matter of interpreting the claim language the Examiner has reviewed support for the amendments found in the present specification at page 4, lines 20-23, page 5, line 8, and page 5, line 32 through page 6, line 1 and claim 4 as originally filed and point out by the Applicant.

3.   Page 5, line 32 through page 6, line 1 reads *As already mentioned, after a case has been evaluated, the authentication result is stored in the local user case database 7 by the system,*

including the date and timestamp of the transaction. When the same user makes a request at any

future date this information is 5 retrieved from the database and combined with the current trust

ratings to generate a new evaluation. " Specifically, the length of time a user has been known to

the system can form one input to a fuzzy rule which allocates an increased level of trust

proportional to the length of time a user has been known to the system (presuming no violation

*by that user of any resource has been recorded by the system)"(*i.e., the level of

confidence/trust*)*.

4.   Ross teaches in at least the abstract that the verification engine presents the user with the

queries and the user's responses are presented to each corresponding database operator for

validation. The database operators then return a confidence indication for the verification step

and the verification engine combines the confidence indication from each database operator into

a combined confidence indication used in authentication of the remote user. At least Paragraph

0026 teaches each database 112a through 112d that receives the information checks it against the

identifying information it stores for the subject 108 and returns a confidence indication 122a

through 122d to the verification engine. The verification engine 100 combines the individual

confidence indications 122a through 122d into a combined confidence indication 124 that is

provided to the authentication client 110 for authenticating the subject 108. Therefore, Ross

would still read on said plurality of sources including a local store arranged in operation to store

previous authentication ratings for a plurality of entities, and said analysis step involving

combining previous authentication ratings for said entity with one or more current authentication

ratings for said entity. The databases of Ross take the current query in addition to stored

confidence ratings and provides a basis for authentication based on the combination.

5.   Therefore, in view of the above amendments and remarks, it is respectfully

noted that all of claims 1-3, 5-7 and 10-11, now standing in the application, are not allowable and

the case cannot be passed to issue.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on
> sale in this country, more than one year prior to the date of application for patent in the United States.

Claims **1-7 and 10-11** are rejected under 35 U.S.C. 102(b) as being anticipated by **Ross WO**

02/41114 A2.

        Consider **claim 1**, Ross teaches a method for generating an authentication rating for an

entity, comprising: receiving a message identifying an entity (**e.g., an entity wishes to**

Authenticate a user) (see at least abstract, figure 1 and paragraphs 0025-0027), which

message requires authentication of said entity(**e.g., remote user authentication)(see at least**

abstract, figure 1 and paragraphs 0025-0027); receiving data from each of a plurality of

sources (**e.g., see paragraphs 0025, 0035-0041 and figures 1-2**), said data representing at least

a rating for said authentication according to a criteria(**e.g., see paragraphs 0025, 0035-0041 and**

figures 1-2); analyzing said received data using a set of predefined fuzzy inferencing rules so as

to calculate an authentication rating for said entity (**e.g., see paragraphs 0025, 0035-0041 and**

figures 1-2). said plurality of sources including a local store arranged in operation to store

previous authentication ratings for a plurality of entities (**e.g., paragraphs 0025, 0035-0041 and**

figures 1-2 and remarks above), and said analysis step involving combining previous

authentication ratings for said entity with one or more current authentication ratings for said entity(**e.g., paragraphs 0025, 0035-0041 and figures 1-2 and remarks above**).

Consider **claim 5**, Ross teaches a system for generating an authentication rating for an entity, comprising: receiving means for receiving a message identifying an entity **e.g., an entity wishes to Authenticate a user) (see at least abstract, figure 1 and paragraphs 0025-0027)**, which message requires identification of said entity(**e.g., remote user authentication)(see at least abstract, figure 1 and paragraphs 0025-0027**); the receiving means being further arranged to receive in use from each of a plurality of sources data representing a rating of said entity according to a criteria(**e.g., see paragraphs 0025, 0035-0041 and figures 1-2**); and processing means arranged in use to analyze said received data using a set of predefined fuzzy inferencing rules so as to calculate an authentication rating for said entity(**e.g., see paragraphs 0025, 0035-0041 and figures 1-2**);said plurality of sources including a local store arranged in operation to store previous authentication ratings for a plurality of entities (**e.g., paragraphs 0025, 0035-0041 and figures 1-2 and remarks above**), and said analysis step involving combining previous authentication ratings for said entity with one or more current authentication ratings for said entity(**e.g., paragraphs 0025, 0035-0041 and figures 1-2 and remarks above**).

Consider **claim 2 and as applied to claim 1**, Ross teaches wherein said data from each source comprise data representing a trust rating for said entity and data representing an associated confidence rating (**i.e., a verification regarding the level of safety**)(**e.g., see paragraphs 0014, 0035 and 0041**).

Consider **claim 3 and as applied to claim 2**, Ross teaches wherein the analysis comprises: combining said plurality of data representing a trust rating using a first predefined set

of fuzzy inferencing rules so as to calculate a combined trust rating(**e.g., see paragraphs 0014,
0025, 0035-0041 and figures 1-2**); combining said plurality of confidence rating data using a
second predefined set of fuzzy inferencing rules to calculate a combined confidence rating (**i.e., a
database of information and a set of queries based on a subset of all queries**) (**e.g., see
paragraphs 0014, 0025, 0035-0041 and figures 1-2**); and then analyzing said combined trust
rating and said combined confidence rating using a third predefined set of fuzzy inferencing rules
so as to calculate said authentication rating(**i.e., a database of information and a set of queries
based on a subset of all queries**) (**e.g., see paragraphs 0014, 0025, 0035-0041 and figures 1-
2**).

Consider **claim 6 and as applied to claim 5**, Ross teaches said processing means being
further arranged to compare said authentication rating with a predefined policy so as to
determine whether to issue, an authenticate signal (**e.g., see paragraphs 0014, 0025, 0035-0041
and figures 1-2**).

Consider **claims 7 and 10-11 and as applied to claims 1 and 2-3**, Ross teaches
computer readable storage medium storing a computer program or at least one of a suite of
computer programs as claimed (**e.g., see computer readable storage mediums and programs
as noted figures 1 and 2 in context of description provided by the disclosure**).

Conclusion

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time
policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE
MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to CHARLES SHEDRICK whose telephone number is (571)272-

8621. The examiner can normally be reached on Monday thru Friday 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Lester Kincaid can be reached on (571)-272-7922. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Charles   Shedrick/
Examiner, Art Unit 2617
/Lester Kincaid/
Supervisory Patent Examiner, Art Unit 2617